



# Centro de Estudios Legales y Sociales

Rodríguez Peña 286 - 1er. piso - 1020 Buenos Aires - República Argentina - T.E. 40 - 9968

INVESTIGACION REALIZADA POR EL CENTRO DE ESTUDIOS LEGALES Y SOCIALES

POR ENCARGO DE AMERICAS WATCH

[illegible]

### Responsables de la Investigación

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Buenos Aires, 14 de julio de 1983



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M E M O R A N D U M

Para: AMERICAS WATCH

De: CENTRO DE ESTUDIOS LEGALES Y SOCIALES

Asunto: PROYECTO DE INVESTIGACION

1. Desarrollo a continuación el Informe del Proyecto de Investigación encomendado por Americas Watch al Centro de Estudios Legales y Sociales .
2. A fin de establecer con precisión los propósitos buscados, explico a continuación los objetivos y el diseño del trabajo, como así también la metodología utilizada .
3. Se ennumeran las conclusiones.

## OBJECTIVES

The objectives of the investigation were:

- 1) To establish the truth or falsehood of the following statement found in the Annual Report of the State Department for 1982 (Country Reports on Human Rights Practices for 1982, February 1983, page 386):

"... (The Argentine Government) is believed to have provided information to family members on the deaths and in some instances the location of the remains of the disappeared in about 1450 cases."

- 2) To expose an ambiguity arising from the statistic in that statement. Does it refer to the cases reported as disappeared to the Ministry of Interior to which that agency has only responded with an "acknowledgment of receipt," or does this sum include many cases of people who have died in combat or resisting arrest whose names were never included in the list of the disappeared?

In keeping with these objectives it was decided to question a sample of the relatives of the detained-disappeared. We also examine the lists of people killed by the armed and security forces. These lists were compiled by the Center for

Legal and Social Studies from information published in the newspapers.

Undoubtedly a complete census of the detained-disappeared would have given us the best information, but this was impossible because of the great number of cases involved and the difficulty in locating all the members of the group. Such a study would have cost too much and taken too much time, so we discarded the idea.

In order to evaluate the available information and to make projections from it in a short time, it was decided to investigate the government's claim by means of a sample based on the list of the disappeared collected by the Permanent Assembly for Human Rights (APDH). The objective of this procedure was to make a judgment concerning the validity of the government's claim with respect to all of the disappeared.

#### DESIGN OF THE INVESTIGATION

The investigation was designed according to the following criteria, partially determined by the objectives of the study that have already been described and also determined by the analysis of the available information:

1. The APDH list of reported disappearances in which the sex, age, occupation, place and date of the detention-disappearance are specified.
2. The list collected by CELS based on the publication in newspapers of "those killed in action"

where names were included although in many cases no further identification was provided and that also included the date and place of the occurrence.

From 1974 to 1981 reports of disappearances were made to human rights organizations. In this period the conditions of the political life of the country varied. In the first two years the country was governed constitutionally. Afterwards, the regime installed on the 24th of March 1976 became increasingly chaotic. In this period, human rights groups developed and strengthened their organizations, and external pressures grew as a result of the uncontrolled repression and the violation of human rights.

If the government possesses information about the fate of the disappeared, it is plausible to assume that this information would be about those disappearances that did not take place in the worst years of the repression (1976-77) when 85% of the reported cases took place.

Leaks that appeared in the newspapers at that time indicate shifting policies. For example, in March 1977 "... at the 2 p.m. meeting that the President and Commander in Chief of the Army, Lieutenant General Jorge Rafael Videla, had with the high command, it was agreed to establish a Center of Intelligence in order to coordinate the legal repression of the guerrillas. This rapid mechanism would allow for the investigation, and eventually it would publish lists of detainees and describe the

procedures followed in their cases... In Cordoba, there already exists a centralized command exercised by the Commander of the III Army Corps, who assumed the personal responsibility for repression and no one could intervene unless he authorized it. This information coincides with the fact that lately the problem is found in the province of Buenos Aires and not in Cordoba (the writer is talking about the abuses that characterized the repression)..." (LA OPINION, 3/24/77)

According to these assumptions it became important in selecting the sample to specify the date and the place in which the detention-disappearance had taken place.

The other source of available information was the lists of those who had died in apparent confrontations, but it was not possible to reach the relatives of those named in the lists unless some detained-disappeared person had been falsely included. It was decided then to compare both groups, on the one hand the reported disappearance, on the other hand the published deaths and, if the same name appeared on both lists, to investigate the kind of information that had been received by the relatives of this person. These criteria determined the selection of the sample.

The investigation was conducted by a mail survey. This method was used because it is quicker and cheaper than personal interviews. The use of a telephone survey was discarded given the character of the study and the characteristics of the people to be interviewed.

## DESIGN OF THE SAMPLE

As already mentioned, the sample was designed using as a reference framework the lists of the Permanent Assembly for Human Rights. It was decided to limit the universe to those persons on whom there was complete information. This was done for practical reasons, and because the total number of complete reports with information amounted to 68% of the list of cases (6500).

It was decided to make the size of the sample 1000 stratified cases utilizing as criteria the year and place of the disappearance and the gender of the person who had disappeared.

In the process of stratification 5 strata and 30 substrata were defined in a total of 4464 cases.

To select the cases, the list was organized in the following way: by years (1974-75; 1976; 1977; 1978; 1979-81) and within each year the list was also organized by geographic location (Federal District, Buenos Aires and others) and gender.

For each substrata an arbitrary starting point was chosen and the selection was carried out systematically.

The ratio in each stratum of the sample is proportionate to the distribution in the universe as a whole, but it had to be augmented in the case of the years 74-75; 79-81; and 1978 to assure a sufficient number of representative responses.

Some of the cases selected had to be discarded because

of change of address, mistaken addresses, etc. of the relatives. They were replaced in the sample by other cases with similar characteristics.

#### ADJUSTMENTS MADE AT THE TIME OF THE SURVEY

Of the total of questionnaires sent, we received 30 returns because of mistaken address or change of address. These were not used nor were they replaced.

The fact that many families had lost more than one member multiplied the responses. In order to obtain the greatest number of possible responses, these cases that had not been initially selected were incorporated into the sample, increasing in this way the size of the sample. One thousand one hundred (1100) cases were included in the final sample.

As had been expected when the inquiry was made, the responses actually obtained were fewer than the sample that was taken. Nonetheless the level of responses was higher than expected taking into account previous inquiries. This high response may have been a reaction to the recent "informative" document of the government.\*

The questionnaires were sent at the beginning of May 1983. The collection of answers was closed at the end of June

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\*Note: The reference is to the government's "Final Document" of April 28, 1983.



1983 for the purposes of this report.

With respect to the abstentions (45%) it was decided to use as a criterion of evaluation the hypothesis that the population which did not respond had the same characteristics as the population that did respond. In this way, a weighting factor was applied to the results of the sample actually obtained.

In order to estimate the totals for the universe investigated, projections were made from the data in the weighted sample. The projection was done in a fashion that corresponded to the cases in each of the strata.

$$F \text{ (expansion factor)} = \frac{N}{n} \text{ where:}$$

N = the total population of each stratum

n = the size of the sample of each stratum

#### METHODOLOGICAL ASPECTS

Before making a brief commentary about the results of the survey, one should recall that this survey refers to reports of disappearances. Therefore both absolute number and relative number refer to this "universe" and not to the total of disappearances.

#### ANALYSIS OF THE RESULTS

##### Level of response:

Fifty-five percent of those surveyed, as determined by

the letters received by June 30, 1983, answered the questionnaire.

If we analyze this response in each of the strata this level of response increases up to the year 1978, and it decreases a little for the stratum 1979-81. But in all the strata it can be said to maintain an average of close to 50%.

1974-75:	51%
1976:	55%
1977:	54%
1978:	64%
1979-81:	46%

If we analyze the level of response taking into account the place of the disappearance or the gender of the disappeared, the level of response is superior to 50% and in the Federal District it is always 60%.

Generally the place where the disappearance took place, given that the majority were seized in their homes, coincides with the addresses of the relatives of the disappeared. This fact, together with the characteristics of the population to be interviewed, explains the fact that during the collection of the surveys many people brought them back personally. This happened especially in the Federal District where it was easier for these people to come to the office of CELS. In general people prefer to deal personally with human rights organizations as they are distrustful of the mail and feel that their correspondence will not arrive or will be opened. This is why those who sent the questionnaires back through the mail, instead of using the prepaid envelope, decided to send

it instead either by certified mail or insured envelopes.

Based on these facts, and on previous surveys, we did not expect a response greater than 40% of the sample. However, the appearance at this time of the "Final Document of the Government" ended up being a great motivator. This is why many relatives informed about the survey that was taking place and who had not been selected in the sample came to CELS hoping to have their responses included. This was not done, but we believe it is important to call attention to this fact.

#### TYPE OF RESPONSE

Of a total of 607 analyzed cases, 3% answered that they obtained some kind of information after the disappearance. Since this forms a small number of cases that have special characteristics we have decided to explain each one, on a case by case basis, with the purpose of enriching this report. In none of these cases can the information received by the relatives be considered an official and concrete response to the relatives about the fate of their disappeared family members.

On the other hand, in some 15% of the cases, the relatives provided documentation or transcribed the response obtained from the Ministry of Interior. As a result of reporting the disappearance, a response was provided between 1 to 7 years after that report. These official responses only inform the relatives about the negative results of the

inquiries made to find the disappeared. This is a way of acknowledging the original report (See Annex I.I).

We believe that the percentage of families that "received this acknowledgment" might be greater, but since this acknowledgment does not signify an accounting, and the majority of the relatives see it in this way, they did not explain it in the survey. The 90 families that provided such information as well as copies of their documents, only demonstrates the compulsive need people have to exhibit the efforts they have made -- repeating requests for information year after year to the authorities, taking action to procure an answer about their disappeared relatives -- in their search for an accounting that is not provided.

Accordingly we can say that in 97% of the cases the relatives have not received any official information. In the other 3% of the cases, they have received official or extra-official information, verbal or non-verbal, that neither clarifies nor explains. Often, it misinforms.

#### THE 18 CASES IN WHICH SOME INFORMATION WAS PROVIDED

In the 18 cases in which information was provided to the families, only two recovered the bodies of their dead relatives and this occurred five years after the disappearance. In four other cases the families were informed, or they informed themselves, by reading the newspapers about the deaths of their relatives and "the way

it took place." But they did not recover the bodies.

In none of these six cases was the information obtained through reliable documentation. In one case the family received a personal communication from an official about the presumed death of their relatives.

In five cases, after the disappearances, official information was received from military or security authorities. In these cases the disappeared person was described as either a "fugitive" or a "deserter". The detention, or search for the whereabouts of this person, was admitted, but the disappearance was justified as having taken place after he or she was freed from government facilities.

In two cases the families were informed that those who had disappeared had been arrested: in one case the information was given verbally; in the other case the family learned of the detention by reading the newspapers. Both cases concerned persons who had disappeared in the years 1974-75, but the families were never able to verify this information. In the four remaining cases, which took place in 1979, and which all involve the same family, the detainees were able to meet with their relatives twice during the following year. But since that time, the detainees were never heard of again.

As we are especially interested in interpreting the details of the information obtained by the relatives of the disappeared in these 18 cases we analyze each case

individually:

LAURA TOLCACHIR and ANTONIO SUTINA: disappeared on March 23, 1978 in Mar del Plata province of Buenos Aires. Their relatives were told verbally by a Federal Judge that, according to a document of the Command of the Sub-zone, they had "fallen in a battle between army troops and subversives." He also indicated the place where they had been buried: Cementerio Parque. This information was given to the family on 8/6/79, 17 months after these persons had disappeared.

Even though this information came from a judicial source, it was both verbal and informal, and possibly due to the good will of the judge. It was not due to a formal purpose of the public authorities to provide information about the disappeared. Furthermore the information is distorted in that the deaths appear as the result of a confrontation. These facts are not altered by the circumstance that on the 7th of May of 1983 the bodies were disinterred, five years after the disappearances.

VICTOR M. TABOADA: has been counted among the disappeared since the 13th of November of 1974. He was arrested in his home in Bernal, province of Buenos Aires. After he disappeared, his wife received written information from the Second Court of La Plata. In this communication it is said that "the detainee had died of a cardiac arrest when he was giving evidence to the judge." The communication includes the death certificate. Evidently the man died while he was being

tortured. In those years, before the coup d'etat of 1976, disappearances were not systematic. This case must be considered as a cover up.

CARLOS ALBERTO LUCANTIS: disappeared on the 20th of May of 1976 in Martinez, province of Buenos Aires. His family was verbally informed at the Court House in the Federal Capital that "he had been found by personnel of the Haedo police station, Moron County, province of Buenos Aires with a broken skull." A year later this information was amplified: the family was told verbally in Moron that their disappeared relative had been buried in the Cemetery of Moron.

The family was never able to recover his body because after three years it had been transferred to the common grave. This unofficial verbal information was provided by employees who acted out of their own initiative without authorization from their superiors. This is demonstrated by the fact that the body was identified and buried, surely with police authorization, without informing families which implies an obvious cover up of the facts. The facts became known through indirect means and they have not been reliably verified.

MARIO JOSE MIANI: disappeared on the 9th of August, 1978 in Buenos Aires. The family was verbally informed by the Ministry of Interior that on the 9th of February, 1979 he had "fallen in a confrontation." As in all the other cases this information was provided verbally, and as in the other cases it appears distorted.

ABIGAIL ARMANDO ATTADEMO: appears as a disappeared person in the incomplete list of the Permanent Assembly for Human Rights, information about his status came through relatives of his "companera" who had also disappeared. His family found out about his death by reading in the papers about "deaths in a confrontation."

JORGE MARCELO DYSZEL: disappeared on the 18th of May of 1978 in the Federal Capital together with his wife. The family of this young man received unofficial verbal information from the Director of Security affirming that he was dead. No information was given about his wife. The fact that the information was not provided officially and in written form indicates that the policy is not to give official information about the case. The verbal information is probably a gesture of good will, but it does not even indicate how this person died.

ALBERTO PATROCINO FERREYRA: disappeared in 1975 in the Army School Sargento Cabral where he was serving. His family was officially informed by the Director of the School eight months after his disappearance. In this communication it is said that "...he had been dismissed and sent home because he had stolen things from the school and sold them..." As is obvious, this information does not clarify the disappearance. The authorities are only defining the limits of their responsibility.



CARLOS HECTOR CAPITMAN: Disappeared on March 28, 1976. His family received information from Criminal Court no. 2 of Buenos Aires in October 1976, "...released on September 10, 1976 by decree 1907-76." This case corresponds to OAS case no. 3410.

CARLOS HECTOR ORIANKI: Disappeared in 1976 in Chaco province. Upon initiating procedures for presumption of death in the second half of 1981, as a way of obtaining some answer, his family was informed by the judge that the police of Chaco considered him: "a fugitive, whereabouts unknown."

MAXIMO RICARDO WETTENGEL: disappeared in June 1976 in the province of Chaco. The Commander of the 7th Infantry regiment of Corrientes informed the family that he was "freed five days after his detention and sent to Corrientes." A leaflet published by SIDE (Servicios de Informacion del Estado) Government Information Services in December 1981 describes the case as that of a "Wanted Fugitive."

EDUARDO ALBERTO COLELLA: disappeared on November 12, 1976 in Esquel, province of Chubut, while he was serving as a conscript in the 181st Regiment of the Army in this locality. The family was informed in February 1977 by the military authorities of that regiment that "...he was sent to Bahia Blanca on request of the 5th Army Corps because of suspected connections with subversive elements. His innocence determined, he was given the means to return to this unit on the 20th of December, 1976. Given the time that has elapsed

and since he has not returned to Esquel, desertion procedures have been initiated against him..."

LUIS RODOLFO MORILLO: was detained and disappeared November 22, 1975 in Mendoza. His relatives never received official or unofficial information of his fate until in June 1978 the newspapers La Prensa and Los Andes of Mendoza transcribed a radiogram of PEN which said he would be detained in the prison Unidad 1 of Cordoba. Nonetheless, the family was never able to see him and prison authorities never confirmed his presence. Visits were not authorized and correspondence was not received. This information can be interpreted in two ways: it was an administrative error; or it was false information that the government has wanted to deny officially but which has been denied by the facts. So it cannot be considered information.

CARLOS JUAN SALIM: disappeared in Tucuman on October 2, 1975. His family received official notification of his detention from the Commander of the 5th Brigade located in Tucuman. The habeas corpus presented before judicial authorities was rejected.

JOSE LUIS HAZAN, ELSA MARTINEZ, JOSEFINA VILLAFLORE DE HAZAN Y ANIBAL VILLAFLORE: were detained and disappeared in August of 1979. The family reports that after their detention-disappearances, on two occasions they were sent to the homes of their relatives (8/3/79 and 2/1/80). Since then they have never heard of them again. Even in the face of

these irregular "visits" the authorities never acknowledged their detention nor have they reported about the later disappearance of the family.

not  
true

As can be seen by this analysis, none of these cases can be used to verify the claim that is contained in the Country Report of the Department of State which says that "... (The Argentine Government) is believed to have provided information to family members on the deaths and in some instances the location of the remains of the disappeared in about 1450 cases."

# CELS



## DATOS OBTENIDOS-PONDERACION DE LA MUESTRA Y EXPANSION AL TOTAL DEL UNIVERSO

<u>AÑOS</u>	<u>SABEN Q'</u> <u>MURIO</u>	<u>TIPO DE RESPUESTA OBTENIDA</u>					<u>ABSTEN-</u> <u>CIONES</u>	<u>TOTAL</u> <u>MUESTRA</u>						
		<u>OTRAS</u> <u>INFORMA'</u>	<u>NOTAS</u> <u>M.INT.</u>	<u>SIN</u> <u>DATOS</u>	<u>TOTAL</u> <u>RESP'</u>									
1974/75	1	3	12	41	57	55	112							
1976	2	4	44	200	250	204	454							
1977	-	-	21	158	179	151	330							
1978	3	1	12	83	99	56	155							
1979/81	-	4	1	17	22	26	48							
	%	%	%	%	%	%	%							
<u>T O T A L</u>	<u>6</u>	<u>1</u>	<u>12</u>	<u>2</u>	<u>90</u>	<u>15</u>	<u>499</u>	<u>82</u>	<u>607</u>	<u>100</u>	<u>492</u>	<u>45</u>	<u>1099</u>	<u>100</u>

<u>PONDERACION DE LA MUESTRA</u>										<u>Factor de Ponderac. !</u>	
1974/75	2		6		24		80			1,96	112
1976	4		7		80		363			1,82	454
1977	-		-		39		291			1,84	330
1978	5		2		19		129			1,56	155
1979/81	-	%	9	%	2	%	37	%		2,1	48 %
T O T A L	11	<u>1</u>	24	<u>2</u>	164	<u>15</u>	900	<u>82</u>			1099 <u>100</u>

<u>EXPANSION AL TOTAL DEL UNIVERSO</u>										<u>Factor de Expansion</u>		<u>Universo</u>
1974/75	3	8	31	102	1,3	144						
1976	18	32	360	1652	4,5	2062						
1977	7(*)	-	203	1512	5,2	1722						
1978	15	6	57	390	3,0	468						
1979/81	-	13	3	52	1,4	68	%					
	%	%	%	%								
<b>T O T A L</b>	<b>43</b>	<b>1</b>	<b>59</b>	<b>1</b>	<b>654</b>	<b>15</b>	<b>3708</b>	<b>83</b>			<b>4464</b>	<b>100</b>

(\*)teniendo en cuenta casos ubicados en el listado del Cels y casos ubicados, que fueron inhumados por deudas, en listado Morgue (Ver Anexos)

THE RESULT OF COMPARING THE LIST OF DISAPPEARED OF THE  
PERMANENT ASSEMBLY FOR HUMAN RIGHTS WITH THE LIST OF PEOPLE  
KILLED IN CONFRONTATIONS WITH THE SECURITY FORCES AS COMPILED  
BY CELS FROM INFORMATION PUBLISHED IN THE NEWSPAPERS

CELS compiled a list of 700 cases of people killed in confrontations with the security forces on the basis of information published in newspapers. In many of these cases the number of deaths was recorded, but the people who had been killed were not identified in the published account. Taking into account the available information, it was decided to compare the names that appeared in the two lists.

Twelve persons who have been reported as disappeared are also identified as killed in "confrontations." Four of these persons appear in the list of persons with incomplete data of the Assembly, the other eight appear in the list of people with complete data.

When the information in the list of disappeared persons is compared with the information published about "confrontations" in cases where the same names appear on both lists, the following discrepancies emerge: the date of death is always later than the date of the disappearance and the place in which the disappearance occurred is different from the place where the person was killed.

In order to determine the kind of information that has been received by relatives of the persons appearing in both of these lists, a questionnaire was sent to those whose

whereabouts were known. As yet, we have been able to obtain one reply and it confirms the fact that this family obtained the information about their disappeared person's death through the newspapers and in a distorted manner.

This is the case of ATTADEMO, Abigail Armando who disappeared in 1976. La Nacion reported subsequently about this case in the following manner: Attademus, Abigail: killed in a confrontation on 7/8/76 at 5:00 p.m. in the County of San Isidro, province of Buenos Aires.

THE RESULT OF COMPARING THE LIST OF THE ASSEMBLY WITH THE LIST OF BODIES IDENTIFIED IN THE JUDICIAL MORGUE THAT WAS PUBLISHED IN THE NEWSPAPERS ON 6/22/83

The newspapers published on 6/22/83 a resolution of the Supreme Court concludes that the investigations and the administrative reporting that was initiated by that same court concerning an accusation brought before the court towards the end of 1982. In that accusation it is said that in the Judicial Morgue of the Federal Capital, autopsies were performed by order of the military authorities without participation of the Judiciary as prescribed by law. The Court says that no irregularities have been found and it transcribes the list of identified bodies. (See Annexes III and IV)

This new information, which was published and made available after the survey had been completed, was compared

with the lists of the disappeared persons.

Of 106 cases, 14 of which have not been identified, 7 were found in the list of disappeared persons. Three others might also be on that list, but in these latter cases the names do not precisely coincide.

According to the publication, in two of the certain cases, the bodies were disinterred by the family. In the other five cases an administrative disinterment took place.

We found that the survey had been sent to three families of these persons, whose names figured in the selected sample. In the case of the first family, which corresponds to two of the cases, the envelope with the survey was returned because of a change of address. Another family did not answer the questionnaire, and the third answered the questionnaire negatively because they found out about the fate of their son when the resolution of the Supreme Court was published in La Nacion. This is the Landin case.

MARTIN RAMON LANDIN, 21 years old, law student, disappeared on the 22 of January of 1977 in the Federal District. Previous to the publication we have mentioned, his family had been informed by the Judiciary by means of habeus corpus that the whereabouts of their son was unknown. On June the 22, 1983, the Landin family found out through the press of the fate of their son as well as the location of his body:

"...-Landin, Martin Ramon: file no. 315; date 2/8/77; assault and resistance to authority; regular special court martial No. 1 (Command Staff subzone Federal

District); police commissary 31\*; administrative disinterment, Chacarita Cemetery (License 161.671)..."

We assume that the situation of the relatives of the other four persons whose bodies were disinterred is similar to that of the Landin family.

With respect to the two cases that the report mentions as released to their families, these families had not been included in the sample so we did not have their testimony. But we can summarize the procedure that was followed based on the testimony of the Mopardo family.

This family had two children who disappeared: Selva del Carmen Mopardo and Alfredo Nestor Mopardo. They were detained on the same day. (Actually only the latter is listed among the disappeared.)

The family answered the questionnaire negatively with respect to their son and they added the account of how they recovered the remains of their daughter, SELVA DEL CARMEN MOPARDO, who appeared in the list of the Judicial Morgue that we are analyzing. SELVA CARMEN MOPARDO disappeared on November 13 1976 in Castelar, province of Buenos Aires together with her brother ALFREDO NESTOR MOPARDO. She was never listed among the disappeared because her family received, on December 6, 1976, an official citation to identify a body. The family recovered the remains of their daughter after signing a paper accepting that her death had



occurred in a "confrontation." The Mopardo case is described in the list of the Judicial Morgue in the following way:

"...Mopardo, Selva del Carmen; (entered as not identified, later identified); file no. 2.983; date 12/4/76; quadruple murder, assault and resistance to authority, carried hand grenades, theft, regular court martial 2/1; police commission 31a; disinterment by family."

In the list of the Judicial Morgue the following information appears: the fact that motivates the preventive indictment; the military court that took action in the case; the instructing organism and the manner in which the body was disinterred. Of over 106 cases, 35 were administratively disinterred, 14 were not identified, 5 of the identified cases were listed as disappeared persons. Possibly many of the cases which were not identified were also persons who had disappeared.

As can be seen from its summary report the Judiciary had ample information about these irregularities and procedural violations.

In the resolution the Court analyzes the way the Morgue practiced autopsies and other investigations in these cases and it claims that for many years these had been habitual procedures. (See Annex IV)

All that has been done by the Judiciary is evidence of a cover-up by means of distortions and omissions of the most

important aspects of the repression.

### CONCLUSIONS

The conclusions that follow are based on the investigation described in the preceding pages:

1. It is inaccurate to claim that the Argentine Government has provided information to the relatives of the disappeared about the death and in some cases about the location of the bodies of 1450 disappeared persons.

} hat  
true  
See  
Tolcan  
of Dutin  
on p 2

Only 18 families in a representative sample of 1100 families queried, of whom 607 responded, had been given some information about their cases. Generally this information was given verbally and unofficially, and in every case it contradicted the real circumstances in which the death of the disappeared-detained person had occurred. In many cases, this information was obtained as a result of personal inquiries made by the family, or bureaucratic confusion, or serendipity. Furthermore, in the majority of these cases the facts were made known much after the date of the murder. That is to say the government never had the intention of providing truthful, official and precise information about these cases.

2. The information about deaths that has been given out by the Minister of Interior or other state agencies, or that has been published by the press, involves people who were known to have been murdered in fake or real confrontations; these people were never reported as disappeared. If the

Argentine Government is referring in its claim to information given to the families of citizens who supposedly died in such battles, the government is obviously attempting to misinform because the information about such deaths has nothing to do with the problem of the people who have been detained-disappeared. That information consists simply of a list of persons who were killed in unknown circumstances and whose names were immediately publicized.

Emilio Fermin Mignone  
President  
CELS



**CELS**

**Centro de Estudios Legales y Sociales**

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A P E N D I C E

ANEXOS I a IV



## ANEXO I: POBLACION-MUESTRA SORTEADA-MUESTRA OBTENIDA -NIVEL DE RESPUESTA-

<u>ESTRATOS</u>	<u>POBLACION</u>		<u>MUESTRA SORTEADA</u>		<u>MUESTRA OBTENIDA</u>		<u>%RESPUESTA</u>
		%		%		%	
<u>Años</u>							
1974/75	144	3	112	10	57	9	51
1976	2062	46	454	41	250	41	55
1977	1722	39	330	30	179	30	54
1978	468	10	155	14	99	16	64
1979/81	68	2	48	4	22	4	46
<b>T O T A L</b>	<b>4464</b>	<b>100</b>	<b>1099</b>	<b>100</b>	<b>607</b>	<b>100</b>	<b>55</b>
<u>Lugar</u>							
CAPITAL FED.	1295	29	299	27	187	31	63
BS. AS.	2009	45	462	42	235	39	51
OTROS	1160	26	338	30	185	30	55
<b>T O T A L</b>	<b>4464</b>	<b>100</b>	<b>1099</b>	<b>100</b>	<b>607</b>	<b>100</b>	<b>55</b>
<u>Sexo</u>							
HOMBRES	3211	72	810	74	445	73	55
MUJERES	1245	28	289	26	162	27	56
<b>T O T A L</b>	<b>4464</b>	<b>100</b>	<b>1099</b>	<b>100</b>	<b>607</b>	<b>100</b>	<b>55</b>

# CELS



## ANEXO I: MUESTRA SORTEADA - MUESTRA OBTENIDA (30-6-83)

### Estrato I:1974/75 -144 desaparecidos-

<u>S E X O</u>	<u>L U G A R D E L H E C H O</u>									<u>T O T A L</u>		
	<u>CAPITAL FEDERAL</u>			<u>BUENOS AIRES</u>			<u>O T R O S</u>			<u>T O T A L</u>		
	<u>M.S.</u>	<u>M.O.</u>	<u>%</u>	<u>M.S.</u>	<u>M.O.</u>	<u>%</u>	<u>M.S.</u>	<u>M.O.</u>	<u>%</u>	<u>M.S.</u>	<u>M.O.</u>	<u>%</u>
HOMBRES	8	5	63	20	9	45	68	35	51	96	49	51
MUJERES	2	2	100	3	1	33	11	5	45	16	8	50
T O T A L	10	7	70	23	10	43	79	40	51	112	57	51

### Estrato II:1976 -2062 desaparecidos-

<u>S E X O</u>	<u>LUGAR DEL HECHO</u>									<u>T O T A L</u>		
	<u>CAPITAL FEDERAL</u>			<u>BUENOS AIRES</u>			<u>O T R O S</u>			<u>T O T A L</u>		
	<u>M.S.</u>	<u>M.O.</u>	<u>%</u>	<u>M.S.</u>	<u>M.O.</u>	<u>%</u>	<u>M.S.</u>	<u>M.O.</u>	<u>%</u>	<u>M.S.</u>	<u>M.O.</u>	<u>%</u>
HOMBRES	84	44	52	132	68	52	120	70	58	336	182	54
MUJERES	28	14	46	56	26	46	34	28	82	118	68	58%
T O T A L	112	58	52	188	94	50	154	98	64	454	250	55

# CELS



## ANEXO I: MUESTRA SORTEADA - MUESTRA OBTENIDA (30-6-83)

Estrato III: 1977 - 1722 desaparecidos -

### L U G A R   D E L   H E C H O

<u>S E X O</u>	<u>CAPITAL FEDERAL</u>			<u>BUENOS AIRES</u>			<u>O T R O S</u>			<u>T O T A L</u>		
	<u>M.S.</u>	<u>M.O.</u>	<u>%</u>	<u>M.S.</u>	<u>M.O.</u>	<u>%</u>	<u>M.S.</u>	<u>M.O.</u>	<u>%</u>	<u>M.S.</u>	<u>M.O.</u>	<u>%</u>
HOMBRES	84	55	65	104	52	50	48	22	46	236	129	55
MUJERES	24	16	67	54	27	50	16	7	44	94	50	53
TOTAL	108	71	66	158	79	50	64	29	45	330	179	54

Estrato IV: 1978 - 468 desaparecidos -

### L U G A R   D E L   H E C H O

<u>S E X O</u>	<u>CAPITAL FEDERAL</u>			<u>BUENOS AIRES</u>			<u>O T R O S</u>			<u>T O T A L</u>		
	<u>M.S.</u>	<u>M.O.</u>	<u>%</u>	<u>M.S.</u>	<u>M.O.</u>	<u>%</u>	<u>M.S.</u>	<u>M.O.</u>	<u>%</u>	<u>M.S.</u>	<u>M.O.</u>	<u>%</u>
HOMBRES	41	32	78	48	30	63	24	10	42	113	72	64
MUJERES	14	13	93	23	11	47	5	3	60	42	27	64
TOTAL	55	45	82	71	41	58	29	13	45	155	99	64



ANEXO I: MUESTRA SORTEADA - MUESTRA OBTENIDA (30-8-83)

Estrato V: 1979/81 -68 desaparecidos-

L U G A R D E L H E C H O

<u>S E X O</u>	<u>CAPITAL FEDERAL</u>			<u>BUENOS AIRES</u>			<u>O T R O S</u>			<u>T O T A L</u>		
	<u>M.S.</u>	<u>M.O.</u>	<u>%</u>	<u>M.S.</u>	<u>M.O.</u>	<u>%</u>	<u>M.S.</u>	<u>M.O.</u>	<u>%</u>	<u>M.S.</u>	<u>M.O.</u>	<u>%</u>
HOMBRES	11	3	27	11	6	55	7	4	57	29	13	45
MUJERES	3	3	100	11	5	45	5	1	20	19	9	46
TOTAL	14	6	43	22	11	50	12	5	42	48	22	46

TOTAL UNIVERSO: 1974/81 -4.464 desaparecidos-

L U G A R D E L H E C H O

<u>SEXO</u>	<u>CAPITAL FEDERAL</u>			<u>BUENOS AIRES</u>			<u>O T R O S</u>			<u>T O T A L</u>		
	<u>M.S.</u>	<u>M.O.</u>	<u>%</u>	<u>M.S.</u>	<u>M.O.</u>	<u>%</u>	<u>M.S.</u>	<u>M.O.</u>	<u>%</u>	<u>M.S.</u>	<u>M.O.</u>	<u>%</u>
HOMBRES	228	139	61	315	165	52	267	141	53	810	445	55
MUJERES	71	48	68	147	70	48	71	44	62	289	162	56
TOTAL	299	187	63	462	235	51	338	185	55	1099	607	55





ANEXO I: RESPUESTA DEL MINISTERIO DEL INTERIOR A LAS  
NUMEROSAS SOLICITUDES DE FAMILIARES POR LA  
SUERTE DE SUS DETENIDOS-DESAPARECIDOS

MINISTERIO DEL INTERIOR

SEÑOR

.....

Me dirijo a Ud. con referencia a la presentación ante  
este Ministerio el....., en la que solicitó información sobre  
el paradero de .....

Al respecto, llevo a su conocimiento que, habiéndose  
reiterado los pedidos de informes a los organismos competentes,  
a los efectos de establecer el paradero del nombrado, los mismos  
han resultado negativos a la fecha.

Asimismo, se le comunica que en lo sucesivo, cuando desee  
informarse sobre el curso de las tramitaciones, deberá solicitar  
turno en Hipólito Yrigoyen Nro. 757, Capital Federal, en el horario  
de 8.00 a 12.00 horas, para ser atendido personalmente.

Saluda a Ud. atentamente



ANEXO II: COMPARACION LISTADO CONFECCIONADO POR EL  
CELS CON LISTADO DE LA ASAMBLEA

AÑO 1976

ATTADEMO, Abigail Armando -S.I.- -S. I.-(Lista incompleta APDH)  
ATTADEMUS, Abigail: 8-7-76, 17 hs., Bancalari, Prov.Bs.As.(LA NACION-Cels)  
BECERRA, Rosa de Arias, -S.I.- Tucumán, 9-3-76(Lista APDH)  
BECERRA, Rosa Josefina de Arias, 7-7-76, 2hs., Ing.Concepción, Tucumán(LA NACION)  
GALLO, Juan Carlos, 28 años, Tucumán, 22-5-76, Obrero (Listado APDH)  
GALLO, Juan Carlos, 29-5-76, Quebrada de Lules, 52kms al NO de Concepción,  
Tucumán(LA NACION)  
GUTIERREZ, Ana María, 35 años, Villa Martelli, Bs.As., 7-6-76(Listado APDH)  
GUTIERREZ, Ana María Mónica, 23-10-76, Rosario, Santa Fe (LA NACION)  
GARCIA, Delia Esther, -S.I.- , La Plata-Prov.Bs.As., 2-8-76(Lista incompl.APDH)  
GARCIA, Delia Esther, 14-11-76, 22.30hs., Fitz Roy 137, 4to.Piso, Bahía Blanca,  
(LA NACION)  
MAMANI, Olga Yolanda, -S.I.- , -S.I.-(Lista incompleta APDH)  
MAMANI, Olga Yolanda, de Torres, 5-7-76, 3.10hs., Cdad.Universitaria, Córdoba,  
(LA NACION)  
RIVERO, Ramon Patricio, Calilegua, Jujuy, 27-7-76, Carpintero(Listado APDH)  
RIVERO, Patricio, 30-10-76, Ramos Mejía, Prov.Bs.As.(LA OPINION, 7-11-76)  
ROSSI, Darío, 29 años, Viedma-Prev.Rio Negro, 1-12-76(Listado APDH)

AÑO 1977

AGUIRRE, Juan Carlos, 31 años, Mar del Plata, Bs.As., 2-6-77(Listado APDH)  
AGUIRRE, Juan Carlos, 14-7-77, 13.30hs., Piedras 710, Tucumán(LA RAZON)  
CAMPS, Alberto Miguel, -S.I.-, -S.I.-, (Lista incompleta APDH)  
CAMPE, Alberto Miguel, 16-8-77, Beltrán 451, Lomas de Zamora, Bs.As.(LA NACION)

CELS



ANEXO II: COMPARACION LISTADO CONFECCIONADO POR EL  
CELS CON LISTADO DE LA ASAMBLEA

AÑO 1977 (continuación)

FRANCO, Eduardo, 38 años, Misiones, 18-1-77 (Listado APDH)

FRANCO, Eduardo Luis, 22 / 23-6-77, Rosario, Santa Fe (LA RAZON, 23-6 / CLARIN, 1-7)

(\*) FRANCO, Eduardo Emilio, Expte. 969; fecha 20-4-77; atentado y resistencia a la autoridad-homicidio; consejo de guerra especial estable Nro. 1; comisaría 29\*; inhumación por deudos (ingresó como N.N., identificado después). -corresponde al listado de la Morgue Judicial, publicado el 22-6-83-

MORENO, Carlos Alberto, 22 años, Capital Federal, 25-3-77, Empleado ACA (Listado APDH)

MORENO, Carlos A., 8-5-77, Avellaneda, Prov. Bs. As. (LA RAZON, 9-5 / CLARIN, 10-5)

(\*) Este caso ofrece dudas, pues en el primer listado no figura el segundo nombre y en los otros dos listados ese segundo nombre difiere. Sin embargo las fechas son sucesivas y la forma de presentación del caso coincide.



ANEXO III: COMPARACION LISTADO MORGUE JUDICIAL 22-6-83  
CON EL LISTADO DE LA ASAMBLEA

CARRIZO, Eugenio Miguel (ingresó como N.N., identificado después), expte. Nro 1853 fecha 19-5-77, atentado y resistencia a la autoridad, homicidio, art. 79 Código Penal; consejo guerra especial estable Nro. 1 (Subzona 101) Comisaría 48ª; inhumación por deudos. (Listado Morgue Judicial)

CARRIZO, Eugenio Miguel, 23 años, Capital, 26-7-77, Estudiante (Listado APDH)

DE PEDRO, Enrique Osvaldo: expte. 977; fecha 21-4-77; homicidio Art. 79 Cód. Penal; Consejo de Guerra especial estable Nro. 1; Comisaría 10ª. Inhumación por deudos. (Listado Morgue Judicial)

DE PEDRO, Enrique Osvaldo, La Plata, Prov. Bs. As., 1976 (Listado APDH)

LIVIO, Jorge Néstor: expte. 1817; fecha 23-7-77; suicidio; consejo de guerra especial estable Nro. 1 (2do. Comandante en jefe de la plana mayor-subzona Capital Federal): Comisaría 27ª; inhumación administrativa, cementerio Chacarita (licencia 177.472).

LIVIO, Jorge Néstor, 23 años, Prov. Santa Fe, 22-7-77 (Listado APDH)

LANDIN, Martín Ramón: expte. 315; fecha 8-2-77; atentado y resistencia autoridad; consejo de guerra especial estable Nro. 1 (Cmdo. Plana Myor. Subzona Cap. Federal) comisaría 31ª, inhumación administrativa, cementerio Chacarita (lic. 161.671) (Listado MORGUE)

LANDIN, Martín Ramón, 21 años, Capital, 22-1-77 (Listado APDH)

PONCE, Segundo Manuel; (ingresó como N.N., identificado después) expte. 378; fecha 15-2-77; enfrentamiento con fuerzas policiales; consejo de guerra permanente (Cmdo. Ier. Cuerpo Ejército-Subzona II-Area III); comisaría 39ª; inhumación administrativa, cementerio Chacarita (licencia 157.640) (Listado MORGUE JUD.)

PONCE, Segundo Manuel, Capital, 15-2-77 (Listado APDH)

PONCE, Oscar Armando; (ingresó como N.N., identificado después); expte. 379, fecha 15-2-77; enfrentamiento con fuerzas policiales; consejo de guerra permanente (Cmdo. Ier. Cuerpo Ejército-Subzona II-Area III), comisaría 39ª, inhumación administrativa, cementerio Chacarita (licencia 157.641) (LISTADO MORGUE JUD.)

PONCE, Oscar Armando; 26 años, 14-2-77, Capital Federal (Listado APDH)

RICO, Jorge Alejandro; (ingresó como N.N., identificado después) expte. 1.232, fecha 19-5-77; homicidio; consejo de guerra especial estable (Cmdo. Crpo. Ejército Subzona Capital Federal); comisaría 12ª. Inhumación administrativa, cementerio de Chacarita (licencia 168.706) (Listado MORGUE JUDICIAL)

RICO, Jorge Alejandro; 29 años; Tornero, 26-4-77 (Listado APDH)

# CELS



## ANEXO III: COMPARACION LISTADO MORGUE JUDICIAL 28-6-83 CON EL LISTADO DE LA ASAMBLEA

### -CASOS DUDOSOS-

FRANCO, Eduardo Emilio, (ingresó como N.N., identificado después): expte. 969, fecha 20-4-77; atentado y resistencia a la autoridad-homicidio; consejo de guerra especial estable Nro. 1; comisaría 29<sup>a</sup>. Inhumación por deudos. (Ltdo. Morgue)

FRANCO, Eduardo, 38 años, Misiones, 18-1-77 (Ltdo. APDH)

FRANCO, Eduardo Luis, 22/23-6-77, Rosario-Santa Fe (LA RAZON, 23-6/CLARIN, 1-7)

HUN, Guillermo Adrián; expte. 1235; fecha 19-5-77; suicidio; consejo de guerra especial estable-subzona Capital Federal; comisaría 6<sup>a</sup>; inhumación por deudos. (Listado Morgue)

HUNT, Billy Lee, 28 años, Mendoza, 8-4-77 (Listado APDH)

ROJAS, Fernando Sergio; (ingresó como N.N., identificado después) expte. 1148, fecha 11-5-77; suicidio; consejo de guerra especial estable (por incompetencia pasó a la justicia federal). Inhumación administrativa, cementerio Chacarita. (Listado MORGUE)

ROJAS, Miguel Sergio, 47 años, Bs. As., 12-5-76 (Listado APDH)